IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Writ Petition No. 2564 of 2006

Kamal Mahavirprasad Morarka ..Petitioner

vs.

Export Import Bank of India ..Respondent

Shri H.J.Thakkar i/b M/s Mahesh Jani and Co. for petitioner.
Shri Kevic Setalvad with Shri G.M.Kotwal i/b Shri T.Dayabhai for respondent.

CORAM: SWATANTER KUMAR C.J.
& S.C.DHARMADHIKARI J.
9h April, 2007

P.C.

1. The Writ Petition is disposed of at this stage only with a direction to the Debt Recovery Tribunal that it shall consider the plea sought to be raised by the debtors that they are entitled to one time settlement scheme of R.B.I. and their liability, therefore, shall be reduced.

2. We have no doubt in our mind that DRT shall proceed in accordance with law and consider this plea in accordance with law.

3. Writ Petition is disposed of leaving the parties to bear their own costs.

(CHIEF JUSTICE)

(S.C.DHARMADHIKARI J.)